

Cases and Materials on Criminal Law and Procedure

PRELIMINARY SIXTH EDITION

1986

M. L. FRIEDLAND

Faculty of Law
University of Toronto

VOLUME 1

LAW LIBRARY

SEP 91987

FACULTY OF LAW UNIVERSITY OF TORONTO

Cases and Materials on Criminal Law and Procedure

PRELIMINARY SIXTH EDITION

1986

M. L. FRIEDLAND

Faculty of Law
University of Toronto

VOLUME 1



TABLE OF CONTENTS

(Volume One)

			PAGE
1.	INTRODUCTION TO PROCEDURE		1
	II. IV. V. VI. VII.	Scheme of the Criminal Code Beginning the Process Classification of Offences Hierarchy of Courts Appeals Provincial Offences In the Courts Discretion A. Invoking the Criminal Process B. Plea Bargaining	1 1 2 5 5 6 8 16 16 18
2.	CRIMIN	IAL JUSTICE AND THE CHARTER	27
	III. V. VI. VII. VIII. IX.	Introduction "Principles of Fundamental Justice" "Reasonable Limits Prescribed by Law" "Arbitrarily Detained" Right to Counsel "Person Charged with an Offence" "Tried Within a Reasonable Time" "Presumed Innocent" "Reasonable Bail" "Fair and Public Hearing by an Independent and Impartial Tribunal" "Trial by Jury" "Self-Crimination" Double Jeopardy "Cruel and Unusual Treatment or Punishment" Conclusion	27 31 35 35 36 38 39 41 44 45 46 48 49 51 53
3.	THE TRIAL PROCESS		54
	I. II. IV. V.	Pretrial Procedures A. Confessions B. Pre-Trial Release The Trial of a Juvenile in Adult Court The Preliminary Inquiry Change of Venue Choosing the Jury Opening Statements	55 56 68 73 75 84 85 90

			PAGE
		VII. Evidentiary Problems A. The Use of Photographs of the Victim B. The Use of Similar Fact Evidence C. Failure of the Accused to Testify VIII. Addresses to the Jury	101 101 107 113 117 120
		IX. The Charge to the Jury X. An Ethical Consideration	132
	4.	CERTAINTY: CODIFICATION OF OFFENCES; COMMON-LAW CRIME AND CONSPIRACY	141
		I. Conspiracy II. Certainty of the Charge	145 174
	5.	MORALITY AND THE CRIMINAL LAW	186
	6.	THE CRIMINAL ACT: EXTERNAL CIRCUMSTANCES OF THE OFFENCE	229
		<pre>I. Omissions II. Causation III. Constructive Murder</pre>	238 250 262
	7.	ATTEMPT AND RELATED PROBLEMS	282
-		I. Mens Rea for an Attempt II. Actus Reus for an Attempt III. Impossibility IV. Entrapment V. Other Forms of Involvement: Incitement,	282 292 308 322
		Conspiracy, Aiding and Abetting, etc. A. Incitement B. Aiding and Abetting C. Common Intention	334 335 337 350
		VI. First Degree Murder	357
	8.	QUANTUM AND BURDEN OF PROOF	359
		I. Burden of Proof II. Reasonable Doubt	359 366

			PAGE
	IV.	Presumption of Innocence Circumstantial Evidence Jury Unanimity	370 371 376
9.	THE ME	NTAL STATE: REQUIREMENTS OF CULPABILITY	382
	II.	Model Penal Code and Other Legislative Solutions Intent Recklessness Negligence/Dangerous Presumed Intent	384 388 401 408 421

TABLE OF CONTENTS

(Volume Two)

			PAGE
10.	STRICT	RESPONSIBILITY	437
11.	MISTAK	E OF FACT	467
12.	IGNORANCE OF THE LAW		494
13.	VICARIOUS AND CORPORATE LIABILITY		519
14.	DRUNKE	NNESS	535
	II.	Expert Evidence on Issue of Drunkenness Drunkenness and Specific Intent Public Drunkenness	545 550 560
15.	INSANI	TY	567
	II. III. IV.	Stages of Criminal Process in Which Insanity may be Relevant A. Certification Before Trial B. Fitness to Stand Trial C. Insanity as a Defence D. Who Can Raise the Insanity Issue? E. Effect on a Requisite State F. Sentence G. Transfer from Penal Institution to Mental Hospital H. Executive Clemency Insanity as a Defence Alternatives to M'Naghten Form of Expert Testimony	567 567 570 573 575 576 581 584 585 586 617 627
16.	AUTOMATISM		631
		Conviction for Causing Death? Proving Automatism Relation to Insanity Provocation	632 636 639 659

			PAGE
17.		SPECTS OF EXCUSABLE CONDUCT: NECESSITY, , AND SELF-DEFENCE	671
	II.	Necessity Duress Self-Defence	671 689 700
18.	DOUBLE	JEOPARDY	704
	II. III. IV. V. VI. VII.	Early Termination When Will Dismissal be a Bar? The Special Pleas Issue Estoppel Splitting a Case Multiple Convictions Appeals and New Trials Problems in a Divided Jurisdiction	704 710 715 720 735 753 755 758
19.	SENTENCING		762
	II.	Problems Cases on Sentencing Readings on Sentencing	762 764 795

1

+

.

A.G. of Quebec v. Blaikie (1979) 53 R. v. Abbey (1982) 613 Rex v. Adams (1946) 84 Allen v. Whitehead (1930) 519 Commonwealth v. Almeida (1949) 266,267,268,269,272,273,277 R. v. Altseimer (1982) 35,36,48 Amato v. The Queen (1982) 329 Queen v. Ancio (1984) 288 R. v. Andrews Weatherfoil Ltd. (1971) 527 R. v. Antoine (1983) 37,40,41 R. v. Appleby (1981) 365 Apodaca v. Orego (1972) 48,381 Archer v. The Queen (1955) 182,183,185 Argersinger v. Hamlin (1972) 38 Avon v. The Queen (1971) 113 R. v. Bailey (1800) 494,509 R. v. Bailey (1983) 646 R. v. Bainbridge (1959) 337 R. v. Ball (1966) 177 Balogh v. Crown Court at St. Albans (1974) 305 R. v. Baltzer (1974) 580 King v. Barker (1924) 296 R. v. Barker (1924) 303 Barker v. Wingo (1972) U.S. 40,41 R. v. Barnard (1970) 376 The King v. Barron (1914) 715,738 D.P.P. v. Beard (1920) 535,536,544,551,558,599,600,638 Beard v. U.S. (1895) 700 People v. Beardsley (1907) R. v. Beason (1983) 37fn,41 R. v. Beaudoin (1973) 419 Beaver v. The Queen (1957) 383,442,452,453,481,483 Bedder v. D.P.P. (1954) 662 R. v. Belton (1982) 41 Bigaouette v. The King (1927) 115,116 R. v. Binus (1966) 408 Binus v. The Queen (1967) 410,413,416 R. v. Blamines Transport Services Ltd. (1963) 172,173 R. v. Blaue (1975) 259,260 R. v. Bleta (1964) 631 Bleta v. The Queen (1965) 627 R. v. Boomhower (1974) 583,584 R. v. Borg (1969) 615,616 Borowski v. A.G. of Canada (1983) Boucher v. The Queen (1955) 120

R. v. Boucher (1962) 554,555 Boudreau v. The King (1949) 57,67 R. v. Bourne (1938) 202-206,207,682,683 Re Boyle and The Queen (1983) 44 Bratty v. A.G. for Northern Ireland (1963) 236,551,575,593,594,643,645 Brawner (1972) 620 R. v. Bray (1983) 44 Brisson v. The Queen (1982) 701 Brodie v. The King (1936) 176,177 Brooks v. The King (1928) 63 R. v. Brown (1878) 341 R. v. Brown (1972) 20 R. v. Brunet (1969) 185 R. v. Buck (1932) 178 Bureau v. The King (1931) 89 R. v. Burgess (1970) 488 R. v. Burrows (1983) 50 C.B. v. The Queen (1981) 100 Caccamo v. The Queen (1975) 80 Re Cadeddu (1983) 33 R. v. Caldwell (1981) 407 Commonwealth v. Cali (1923) R. v. Campbell (1977) 370 R. v. Campbell & Mlynarchuk (1972) 504 D.P.P. v. Camplin (1978) 665,667 R. v. Caouette (1972) 355 R. v. Carbone (1972) 69 R. v. Carker (1967) 690 R. v. Carlson (1970) 720 R. v. Carson 7,35fn,39 R. v. Carter (1982) 33 R. v. Celebrity Enterprises (1977) 167 R. v. Chandler (1913) 322 R. v. Chapin (1909) 401 R. v. Chapin (1979) 463 R. v. Charlson (1955) 639 R. v. Chartrand (1971) 178 R. v. Chernecki (1971) 325 Chromiak v. The Queen (1979) R. v. Churchman and Durham (1954) 75,78,79 R. v. Cline (1956) 300 Cloutier v. The Queen (1979) R. v. Codere (1916) 597,608 Collin v. Kaplan (1982) 52 R. v. Colkum Construction (1983) 40 R. v. Collins (1864) 308 Colpitts (1965) 136 R. v. Comm. of Police of the Metro, ex parte Blackburn (1968) 16,18 Connelly v. D.P.P. (1964) 324,331,735 R. v. Conrad (1983) 714 Cooper v. The Queen (1980) 594,611,614,615 Cooper v. The Queen (1983) 559,576

R. v. Coutura (1976) 492

```
Cox and Paton v. The Queen (1963) 183
R. v. Cooper (1977) 375
R. v. Corrier (1972) 230
Crate v. The Queen (1983) 47
Re Crook and The Queen (1982)
Rex v. Cunningham (1951) 376
R. v. Cunnigham (1957) 286
R. v. Cunnigham (1958) 669
R. v. Curbinshley (1970) 318,319
Curr v. The Queen (1972) 33,34
R. v. Currie (1983) 36
R. v. Custeau (1971) 490,493
R. v. Dale (1960) 147
Davey v. Lee (1967) 305
```

R. v. Davidson (1975) 378 R. v. Davies (1913) 363 R. v. Deans (1977) 584 R. v. Declerq (1966) 37,138 R. v. DeWolfe (1976) 427 Detering v. The Queen (1982) 321 R. v. Diotte (1983) 33,34fn R. v. Donnelly (1970) 314,317 R. v. Donovan (1934) 262 R. v. Draskovic (1971) 21 Driver v. Hinnant (1966) 561 Droste v. The Queen (1984) 357 DuCros v. Lambourne (1907) 340 The Queen v. Dudley & Stephens (1884) 677,682,683 Dunbar v. The King (1936) 391,393,395,436 R. v. Dungey (1975) 335 Dunlop and Sylvester v. The Queen (1979) 342 Durham v. U.S. (1954) 617,621,622,623

R. v. Eagleton (1855) 294,295,297 R. v. Edmonds et al. (1821) 88

```
R. v. Epping and Harlow (1973) 79,80
R. v. Esop (1836) 496
Re Ewing and Kearney and R (1974) 38
Fagan v. Commissioner of Metro Police (1969) 234,247,243
R. v. Faid (1983) 701
Fain v. Kentucky (1819) 632
R. v. Fane Robinson (1941) 524,530,532
R. v. Feeley, McDermott & Wright (1963) 726,732,735
Fisher v. The Queen (1961) 545
R. v Flannery (1923) 285,287,290
Frey v. Fedoruk (1950) 143, 169
R. v. Friend 245
```

ix

LIST OF CASES

R. v. Galgay (1972) 668 R. v. Gallogher (1922) 116,555,594 R. v. Gardiner (1982) 370 R. v. Garrigan (1937) 544,545 R. v. George (1960) 396,554,558 Gideon v. Wainright (1963) 38 R. v. Goodfellow (1906) 183 R. v. Gordon and Gordon (1937) 335 249 R. v. Goulis (1981) R. v. Graham (1982) 698 Re R. and Gralewicz (1980) 165,179 Graves v. The King (1913) 424,430,431,433,435,436 R. v. Greenacre (1837) 362,363 R. v. Greenlaw (1981) 349 R. v. Gushue (1973) 727,732 R. v. Halms (1941) 340,344 R. v. Harris (1872) 94 Harrison v. The Queen (1974) R. v. Hartridge (1966) 631,647 Haughton v. Smith 320 R. v. Hawinda Taverns Ltd. (1955) 521 R. v. Hepworth and Fearnley (1955) 367 R. v. Hess (1948) 448 R. v. Higgins (1801) 151 Hill v. Baxter (1958) 370 Hill v. The Queen (1973) 453,460 R. v. Hill (1982) 666 Hobbes v. Winchester Co. (1910) 445,447,448 Hodge's Case (1838) 348,372,373,374,375 R. v. Hoffman (1917) 440 Hogan v. The Queen (1974) R. v. Holden (1833) 85 Holmes v. D.P.P. (1946) 663,669 U.S. v. Holmes (1842) 671,682 R. v. Holmes (1983) 41,43 Horsley v. MacLaren (1971) 248 R. v. Howell (1864) 147 R. v. Howson (1966) 514 R. v. Hubbert (1975) 89 R. v. Hudson and Taylor (1971) 694 R. v. Hughes (1942) 263,424 D.P.P. v. Humphreys (1976) 729,730,731,732 Ibrahim v. The King (1914) 57 The Queen v. Instan (1893) 244 R. es. rel. Irwin v. Dalley (1957) 500 R. v. Isaac (1979) 378

X

```
R. v. Jacques (1958) 67
R. v. Jean Talon Fashion Centre (1975) 167,173
Jewitt (1983) 332
Johanson v. The King (1947)
                           232
R. v. John (1970) 58
Johnson v. Louisiana (1972)
R. v. Johnson (1972) 505
Jones v. Sec. State for Social Services (1972) 155,158
The Queen v. Jordan (1956) 251,253,255
R. v. K. (1971) 648
R. v. Karpinski (1957) 704,714
R. v. Kemp (1957) 642,644
Rienapple v. The Queen (1974) 49,50
Kirzner v. The Queen (1977) 328,329
R. v. Kisinger and Voszlar (1972) 180
R. v. Kitchener News Co. (1954) 182
R. v. Kitching and Adam (1976)
                               257
Kjeldsen v. The Qu9een (1981) 613,615
D.P.P v. Knock (1978) 320
Knuller v. D.P.P. (1972) 153,167
Koechlin v. Waugh and Hamilton 233
R. v. Kowalczuk (1983) 43
Kowbel v. The Queen (1954) 174
R. v. Kritz (1950) 368
R. v. Krug (1983) 50
R. v. Kulbacki (1966) 339
R. v. Kundeus (1974) 489
R. v. Lachance (1963) 368
R. v. Ladue (1965) 486
R. v. Laister (1969) 510
Lajoie v. The Queen (1973) 284,292,356
R. v. Lalonde (1971) 81
R. v. Larsonneur (1933) 237
Latour v. The King (1951)
R. v. Lawrence (1981) 407
R. v. Layton (1970) 171,173
Leary v. The Queen (1977) 402,554,557,558,559,560
R. v. LeBlanc (1948) 352
Leblanc v. The Queen (1975) 405
Lemieux v. The Queen (1967) 322,327
The Queen v. Lemine (1964) 348
R. v. Lepage (1941) 336
Lever (Finance) v. Westminster Co. (1970) 511
People v. Lewis (1899) 256
R. v. Lee (1982) 37
R. v. Linneker (1906)
                     295
Lohse v. Taylor (1922) 351
R. v. Longtin (1983) 37
Luckett v. The Queen (1980) 719
R. v. Lushington, Ex. P. Otto (1894) 233
```

D.P.P. (N.Ireland) v. Lynch (1975) 394



MacDonald v. The Queen (1983) 47 R. v. MacDougall (1982) 503 MacKay v. The Queen (1980) 46 Maclean (1974) 513 R. v. Madigan (1969) 344,347 R. v. Maier and Clark (1968) 350 D.P.P. v. Majewski (1976) 550,554,558 R. v. Malcherek (1981) 258 McAlister (or Donoghue) v. Stevenson (1932) 249 Mancini v. D.P.P. (1942) 364,663,665 Mann v. The Queen (1966) 409,413,414,416,417,418 R. v. Marriott 245 Maxwell v. D.P.P. (1935) 113 D.P.P. (N.Ireland) v. Maxwell (1978) 343 R. v. McAuslane (1971) 174 McCann v. R. (1975) 51 McConnel and Beer v. The Queen (1968) 114,115 McCutcheon v. City of Toronto (1983) 397 R. v. McLeod (1954) 487,488 R. v. McLeod (1970) 337 R. v. McNamara (1981) 531 R. v. McShannock (1980) 734 R. v. Meade (1909) 541,542,543,599 Mealy v. Sheridan (1974) 327 R. v. Menard (1960) 283,285 R. v. Meston (1975) 349 R. v. Metro. Police Commissioner, ex parte Blackburn (1973) 18 R. v. Miller (1965) 318,319 R. v. Miller (1982) 247 R. v. Miller (1983) 229 R. v. Miller and Cockriel (1976) 51,53 R. v. Mills (1983) 40 R. v. Mingo (1982) 39 Miranda v. Arizona 37,38 R. v. Mitchell (1965) 372,375 M'Naughton's Case (1843) 362,543,588,589,592,593,596,597,600,607, 617,686,629 Molis v. The Queen (1980) 500 Moore v. Bresler (1944) 533 R. v. Moore (1973) 70 More v. The Queen (1963) 576 Morelli v. The King (1932) 446 D.P.P. v. Morgan (1975) 477,480,485 R. v. Morgentaler (1973) 209,214,330,626 Morgentaler v. The Queen (1975) 681 R. v. Morrison and McQueen (1980) 698 Commonwealth v. Moyer (1947) 263,266,267,268,277 R. v. Munro and Munro (1983) 358



```
LIST OF CASES
Neville v. The Queen (1981) 180
R. v. Newland (1954) 146,150,151
R. v. Newton and Tungo (1958) 207
R. v. Nicholson (1926) 259
R. v. Oakes (1983) 42,43,46,366
The Queen v. O'Connor (1980) 560
R. v. O'Donnell (1936) 105
R. v. 0'Gorman 85
Offcrady v. Sparling (1960) 405,409,413,414,417
R. v. Ormerod (1969) 327,329,332
R. v. Osborn (1969) 323,325,327,331,719,726
Re P.P.G. Industries and A.G. of Canada (1983) 38
Pagett v. The Queen (1982) 275
Pappajohn v. The Queen (1980) 479
R. v. Paquette (1976) 330,356,393,436
Parker v. The Queen (1963) 423
Partinton v. Williams (1975) 320
R. v. N.M. Paterson (1980) 534
```

Patterson v. The Queen (1970) . 77,80

R. v. Percy Dalton (1949) 317,318,319

Petersen v. The Queen (1982) 713,714 Piche v. The Queen (1970) 60,63,64

R. v. Ping Yuen (1921) 437,441,442 R. v. Plummer and Brown (1975) 484 Poitras v. The Queen (1973) 346,349

R. v. Prue and Baril (1979) 502,504

343

R. v. Prince (1875) 383,467,472,474,486,487

The Queen v. Pierce Fisheries (1970) 452,453,459,460,462

R. v. Paul Rose (1973) 86 Peda v. The Queen (1969) 411

R. v. Perka (1982) 688

R. v. Popen (1981)

Powell (1967) 564

R. v. Porter (1933) 607,608

R. v. Quaranta (1975) 426,429

R. v. Pugsely (1982) 44

R. v. Quick (1973) 643

```
Rabey v. The Queen (1980) 653
R. v. Rafael (1972) 181
R. v. Randall and Weir (1983) 51
Commonwealth v. Redline (1958) U.S. 266,269,270,271,274,275,277
R. v. Rees (1956) 471,487,502
Reference Re s.94(2) of the Motor Vehicle Act of B.C. (1983) 31,35
R. v. Regina Cold Storage & Forwarding (1923) 440
R. v. Reilly (1982)
                   700
                    648
R. v. Revell (1981)
Richard v. The Queen (1957)
R. v. Richardson (1982) 502
R. v. Riddle (1970) 710,713
R. v. Riezebox (1975) 355
R. v. Ring (1892) 311,320
R. v. Ritchie (1970) 285
                     294
R. v. Roberts (1855)
R. v. Roberts (1954) 57
The King v. Robinson (1915) 292,306
Roe v. Wade (1973) 214-228
R. v. Ross (1944) 496
Ross v. Boyd (1903) 114
Rothman v. The Queen (1981)
Rowe v. The King (1951) 263
Royal College of Nursing of U.K. v. Dept. of Health and S.S. (1981) 200
U.S. v. Russell (1973) 333
R.v. Russell (1983) 43,44
Rutherford v. The Queen (1983) 47
R. v. S.B. (1983) 46
R. v. Saggar (1972) 70
R. v. Salajko (1970) 341
Salamon v. The Queen (1959) 659
R. v. Salmon (1972) 106
R. v. Salvador, Wannamaker, Campbell & Nunes (1981) 627
R. v. Sang (1979) 327
R. v. Sault St. Marie (1978) 44,184,330,383,436,457,462,464,
                             500,503,534
R. v. Saunders (1875) 147
R. v. Saxell (1980) 574
Schwartz v. The Queen (1976) 606,612,615
R. v. Scott (1964)
                    308
Segal (1976) 734
R. v. Sequin 548
R. v. Shand (1976) 51,358,498
The Queen v. Sharpe (1984) 405
R. v. Shaw (1938) 634
Shaw v. D.P.P. (1962) 145,153,154,156,157,158,159,161,162,163,164
R. v. Sheehan (1975) 557
The Queen v. Sheets (1971) 706
R. v. Shepherd 245
Sherras v. De Rutzen (1895) 438,439,445,452,453,457
R. v. Shipley (1970) 323
R. v. Shymkowich (1954) 515,516
```



Cases and Materials on Criminal Law and Procedure M. L. Friedland LIST OF CASES

R. v. Simpson (1977) 575,576,612,613 Smith v. The Queen ex rel. Chomielewski (1959) 79 The Queen v. Smith (1959) (English) 253 D.P.P. v. Smith (1961) 421,423,424 R. v. Smith (1967) 573 Commonwealth v. Smith (1970) 268 R. v. Smith (Roger) (1973) 315 R. v. Smithers (1975) 258 Sokolowski v. The Queen (1977) 349 R. v. Sommervilland Kaylich (1963) 165 R. v. Sophonous (1983) 45 R. v. Sorrel and Bondett (1978) 304 Re Southam Inc. and The Queen (1983) 45,100 R. v. Speck (1977) 250 R. v. St. George (1840) 235 R. v. St. Lawrence (1949) 61 R. v. Steane (1947) 388 R. v. Stenning (1970) 233]R. v. Stephens (1983) 32 R. v. Stevens (1983) 44 R. v. Stolar (1983) 33,34 D.P.P. v. Stonehouse (1977) 296 R. v. Stones (1955) 544 Strasser v. Roberge (1979) 462 Steele v. R. George and Co. (1937) Subramaniam v. P.P. (1956) 692 R. v. Sullivan (1983) 646 R. v. Summers (1952) 366-7 R. v. Surrey (1932) 182 Sweet v. Parsley (1970) 229,458 Swietlinski v. The Queen (1980) 557 R. v. Szymusiak (1972) 639 R. v. Tateham (1982) 714 R. v. Taylor 298 Taylor v. Kentucky (1978) 370 R. v. Tennant and Naccarato (1975) 424,429,430,431,434,436 R. v. Therens (1983) R. v. Thompson (1950) 75 R. v. Thompson (1893) 57 R. v. Thompson (1972) 71 R. v. Titchner (1961) 403,405,406 Toth (1959) 181 The Queen v. Tolson (1889) 382,446,471,474,475,476,481,486,487 Tousignant v. The Queen (1960) 282,284 R. v. Trinneer (1970) 287,352,355,356 R. v. Truscott (1959) 73,80-100,101,106,107,113,117,120,131 R. v. Truscott (1967) 54,57 R. v. Turner (1970) 22

Cases and Materials on Criminal Law and Procedure M. L. Friedland LIST OF CASES

R. v. Valentec (1983) 46 R. v. Vallieres (1970) 117 Van Valkenburg v. Northern Navigation Co. (1913) 249 R. v. Vandervoort (1961) 555 R. v. Vasil (1981) 432 R. v. Vermette (1982) 45 Vezeau v. The Queen (1976) 116 R. v. Vlko (1972) 488 R. v. Voisin (1918) 57 R. v. Walker (1979) 626 R. v. Ward (1972) 86 R. v. Waterfield (1963) 232,233 R. v. Waterloo Mercury Sales (1974) 529 Wheat's Case (1921) 475,476 R. v. White (1910) 297 R. v. Whybrow (1951) 283,285,286,718 Williams v. Florida (1970) 47 R. v. Williamson (1966) 233 R. v. Wilson (1970) 420 R. v. Windle (1952) 595,607,611 R. v. Winning (1973) 251 R. v. Withers (1975) 167,169 Woodhouse y. The Queen (1982) 627 R. v. Woodrow (1846) 438,439 R. v. Woods and Gruener (198) 357 Woolmington v. D.P.P. (1935) 359,458,554,638 The Queen v. Wray (1970) 61,63 R. v. Wright (1979) 581 Wright, McDermot and Feeley v. R. (1963) k39,164,167,168,173 R. v. Yensen (1961) 64

Young v. The Queen (1981) 549

R. v. Zanini (1966) 351

